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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/756,778         | 01/14/2004             | Jean-Charles Cote     | 12292.6                |

GOUDREAU GAGE DUBUC  
 Stock Exchange Tower, Suite 3400  
 800 Place-Victoria  
 Montreal, H4Z 1E9  
 CANADA

CONFIRMATION NO. 3697

## FORMALITIES LETTER



\*OC000000012319616\*

Date Mailed: 04/09/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

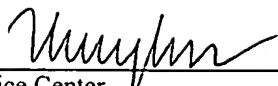
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

08/03/2004 WABDELRI 00000129 071742 10756778

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Munich", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jean-Charles Côté et al.  
Serial No.: 10/756,778  
Filed: January 14, 2004  
File No: 12292.6  
Title: A NOVEL BACILLUS THURINGIENSIS STRAIN, CRYSTAL GENE AND CRYSTAL PROTEIN AND USES THEREOF

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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents  
Alexandria VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated April 9, 2004 (copy enclosed), Applicant now submits herewith a duly executed original Declaration by the inventors accompanied by a petition for extension of time under 37 CFR 1.136(a). Please also find enclosed an Information Disclosure Statement.

The fees that apply in the present application are those of a Small Entity. Accordingly, the Commissioner is hereby authorized to charge the amount of \$65.00 to cover 1.16(e) Surcharge Fee and the Extension of time of two months under 1.17(a)(2) \$205.00 to Deposit Account No. 07-1742.

The Office is advised that, at the time of execution of the Combined Declaration for Patent Application and Power of Attorney, the application number was not known and the filing date was not official yet, whereby this information does not appear thereon. However, the undersigned Agent of Record herein makes a Statement that the application filed in the United States Patent Office on January 14, 2004 as No. 10/756,778 corresponds to the application which the inventors executed

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by signing the Declaration. We believe that the enclosed documents contain the required information for identifying the specification as these documents each state the names of the inventors, the title of the invention and are accompanied by the above Statement by the undersigned registered Agent of Record.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to account No. 07-1742.

Respectfully,

29 July 2004  
Date

  
Agents of the Applicant  
Julie Gauvreau  
Registration No.52,532

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